



## Austin City Council MINUTES

For SPECIAL CALLED MEETING - AUGUST 21, 1985  
5:00 P.M.

Council Chambers, 307 West Second Street, Austin, Texas

### City Council

Frank C. Cooksey  
Mayor

John Treviño, Jr.  
Mayor Pro Tem

Council Members  
Mark Rose  
Smoot Carl-Mitchell  
Sally Shipman  
George Humphrey  
Charles E. Urdy

Jorge Carrasco  
City Manager

Elden Aldridge  
City Clerk

### Memorandum To:

Mayor Cooksey called to order the special called meeting of the council, noting the absence of Councilmembers Carl-Mitchell and Urdy. The Mayor announced the purpose of the meeting is to hold a public hearing on annexation of the following, and the hearing will proceed section by section.

- a. Milwood 12-21 (481.82 acres) C7a-84-046
- b. Northcentral Area (2,054.40 acres) C7a-85-009
- c. Spicewood Springs Road & Hwy. 183 (43 acres) C7a-85-031
- d. Northeast Area (1,313.86 acres) C7a-85-024
- e. Northeast Area (84 acres conversion) C7a-85-024
- f. Lockheed Area (1,718.41 acres) C7a-85-023
- g. Bergstrom AFB (2,413.27 acres) C7a-85-030
- h. MoPac Extension Area (1,256 acres) C7a-85-028
- i. Upper Williamson Creek Area (682 acres conversion) C7a-85-010
- j. Upper Williamson Creek Area (1,114 acres limited) C7a-85-010
- k. Upper Williamson Creek Area (1,361 acres full) C7a-85-010
- l. Oak Hill Heights Area (642 acres) C7a-85-026
- m. Sunset Trail Area (25.08 acres) C7a-85-032

### Milwood

Jim Duncan, Director, OLDS, said the area is located behind Texas Instruments between McNeill Road and the railroad tracks.

Ed Stringer, Forest North Subdivision, thought he had moved away from city taxes and congestion. He said the city is not properly handling the areas they already have annexed.

A man who lives in North Oaks said there have been a lot of problems with sewage plants in other areas and he feels the city will not profit from annexing their area.

### Motion

The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, closed the public hearing. (4-0 Vote, Councilmember Humphrey out of the room, Councilmembers Carl-Mitchell and Urdy absent.)

### Northcentral Area

Mr. Duncan said the area is about one third deveoped and there are 283 dwelling units in the total area. It is the area which wraps around the Springwoods MUD in the Milwood area. He described by use of a map.

Reed Wren represented the concerns of the homeowners in the Hidden Meadows area. He said they are a one street subdivision of 29 homes developed in the early 70's and has since been surrounded by Anderson Mill development. Their concern is for the welfare and safety of the residents and he questioned fire protection. He said they already have good protection through Jollyville. Mr. Wren said because of their location he feels they will be isolated from many of the emergency services they now have. Mr. Wren said it would be better for the City to complete its study of annexation of Anderson Mill and then consider Hidden Meadow as a unit with Anderson Mill.

Elmer Hohle, 10110 Hidden Meadows, also spoke against annexation at this time.

Susan White, Hidden Meadow Drive, said she feels protected by the services they now have and does not want annexation.

John Bryant, Forest North, said he would like more time to study the City's plan of annexation.

Laura Call, Forest North subdivision, said she is not opposed to annexation but has a lot of questions and wants assurance they would receive services in the times specified.

Gloria Rivercamp, Forest North, said they flood in Forest North and wanted to know if the City of Austin is going to take care of their flooding problems.

Allen Mandell, Hidden Meadow, presented a petition representing the concerns of the people in his area. It was signed by 93% of the homeowners.

Wayne Bernouse, Forest North Estates, said he was neither for or against but there are several problem areas which the city should be aware of before annexing the area. Storm water drainage is a

problem. He also questioned services of police, fire and EMS.

Mr. Duncan stated, "We have received the petition which was given to you. The group has requested a meeting in the area. Our staff will ascertain the validity of that and if it is valid we will be scheduling a meeting on site in the area of Hidden Meadow."

Gary Brown inquired about a service plan and was given a copy.

Motion

The Council, on Councilmember Rose's motion, Mayor Pro Tem Trevino's second, closed the public hearing. (4-0 Councilmember Humphrey out of the room, Councilmembers Carl-Mitchell and Urdy absent.)

Mayor Cooksey stated, "Mr. Duncan, at the point at which notice is given of our intent to annex an area, we should already have a service plan that can be given to people and we should also be able to advise the Council of why the City wants to annex the area in terms of what advantage the City is gaining. I know ordinarily the advantage the City is gaining is to increase the tax base or annex an area so we will have capacity to do planning and growth management activities in that area. But I think the people who are responding to these annexations should have an opportunity to see what services they will be provided and get an idea of how that is going to work before they come down here to a public hearing. Many of their questions will be answered if the service plan is available."

Councilmember Shipman asked, "Is drainage the responsibility of the County and the County has chosen not to upgrade this area?" Mr. Duncan said the County is responsible.

Spicewood Springs Road & Hwy. 183

Mr. Duncan stated this is a small area of 43 acres behind the Tom Thumb Grocery. This area is limited purpose now and is developing to the conversion to full purpose.

No one appeared to speak.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Shipman's second, closed the public hearing. (4-0 Vote, Councilmember Humphrey was out of the room, Councilmembers Carl-Mitchell and Urdy absent.)

Northeast Area and Northeast Area Conversion

Mr. Duncan described the area by means of maps. He said the area from limited to full is along IH 35.

M.C. Tyre, president Northeast Walnut Creek Neighborhood Association, expressed concerns about the notification process. They have not had a chance to have a meeting to take a vote for or against annexation but he said they probably are split.

William Baldrige in the northeast sector. He said they are two weeks from having approval from Travis County and questioned scheduling and wondered if he would have to go through City of Austin to get zoning approval. Mr. Duncan told him any projects ongoing would be continued but referred him to City Attorney Isham who said there would be a lot of factors to consider in determining whether or not the project could go forward or not.

Michael Lee, North Oaks, asked why areas adjacent to him have not been annexed.

Another man said he was near the groundbreaking stage for a project and asked what will constitute a vested interest in a county building permit in this area. He said there is a lot of money invested and after slabs are poured would not want to have to go through a city zoning process. Mr. Isham stated, "I would say in most instances if you had building permits and actual concrete has been poured on the property, you have a pretty strong claim for vested rights to go forward with your project."

Tom Sharple, Copperfield, could not understand why he had not received a service statement before attending the hearing. He questioned several aspects of the statement.

Motion

The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, closed the public hearing.

Lockheed Area

Mr. Duncan indicated the boundaries of the area by means of a map. He said the prominent resident of the area is Lockheed with 695 acres.

Roger Hoover, division counsel for Lockheed, said they do not really object but want to make sure it is coordinated.

Motion

The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, closed the public hearing.

Bergstrom AFB

Mr. Duncan showed boundaries of Bergstrom AFB by means of a map. He said 3,100 people reside on the base at the present time.

Lt. Col. Michael Petri, Staff Judge Advocate, Bergstrom AFB, stated the Air Force at this time can take no position on this annexation. "Our regulations require that upon notification of intent to annex that my office and other agencies on the base do what is basically in an impact study. We are to meet at the working level with your working level people, fire, police, taxation, safety, etc. to work out exactly who is going to do what if annexation should go through. We then put the package together and forward it to the Secretary of the Air Force. He is the only person who may make the decision as to whether this annexation will be opposed by the Federal government. I realize you are on a fast track with this one. I would request that since Bergstrom will not be going on tax rolls that a 60 day delay be given to us until the second reading of your ordinance, to come back to the City Manager's office, the City Attorney's office, and the City Council if you desire, with a position officially from the Air Force and to work out some of the problems. We are not quite clear at this point and I think many of your agencies aren't either as to what really is envisioned here and who is going to do what. So I make the request formally of the Council at this time."

Mr. Isham, City Attorney, said they have been in touch with the base and explained we would go through the public hearing process and after the first reading of the ordinance, recommend a delay to give them sufficient time to do their paperwork, impact study and get a position study."

Motion

The Council, on Councilmember Rose's motion, Councilmember Shipman's second, closed the public hearing.

MoPac Extension Area

Mr. Duncan said this area is almost totally inclosed by the current city limits. The only exception is on the eastern boundary; it would be Sunset Valley ETJ line. On the north it is bounded by the recently incorporated Travis Country development. The only portion not abutting a current city limit is a small portion in the northwest. Western boundary is Patton Lane and southern boundary is city limit line as it moves south toward 290.

Carolyn Parker, president Oak Acres Neighborhood Association, said they are protected by restrictive covenants of single family homes, with only 6 lots zoned commercially because they front on 290 west. She feels annexation would preclude residents from maintaining their easy lifestyle.

Ed Stacey, firechief, Oak Hill Volunteer Fire Department, said the city has come in and without advising their organization has annexed areas without clearly stating where the plats are. No one else knows where they are, either, e.g. police, county, etc. He suggested EMS, fire, and police be notified as to who is responsible for what area and for what services.

Wayne Sanders, resident of Oak Park neighborhood, said they really would rather not be annexed, but would like to see orderly and reasonable development and in agreement with what is established in Oak Hill.

Charles Ramsey, Oak Park Subdivision, spoke against the annexation.

#### Motion

The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, closed the public hearing.

#### Upper Williamson Creek Area

Mr. Duncan said the area includes a total of 3,157 acres of which 2,043 are proposed for full purpose annexation and 1,114 are proposed for limited. "It is a little more complex than that and since we have an audience familiar with the Oak Hill area, they are aware that two portions of their community right now are full purpose annexed with the Patton Ranch and Scenic Brook West area. The corridor along 71 is currently limited purpose annexed. A part of the proposal here, tonight, is to full purpose that corridor along 71, in addition portions of the Convict Hill neighborhood, south of 290, in addition to that three other areas, which would be going to full purpose annexation would be the area north of 71 going up to where the watershed line is along property line, south of 71, and the remaining portions of the Convict Hill neighborhood, located south of 290. In addition as a part of the package this evening, is a limited purpose annexation, which is a limited portion of what is generally considered the Oak Hill area, which goes down to 290. This is basically the water control district #14. That total area I just described, 3,157 acres, the full portion of that is 2,043 acres, and is about 20% developed. .... we have received a valid petition for an on-site meeting in this area and a Lutheran Church in that area has made their facilities available."

Mayor Pro Tem Trevino stated, "For the record, I will read the three areas and corresponding case number. Upper Williamson Creek Area (682 acres conversion) C7a-85-010; Upper Williamson Creek Area (1,114 acres limited); and Upper Williamson Creek Area (1,361 acres full).

Ralph Daugherty, a resident of Austin, and property owner in Oak Hill, discussed the service plan.

Howard Kells discussed their proposed service plan called the Green Plan. He said they want to become full citizens of Austin and explained their proposed CIP projects in the Green Plan by means of slides.

Sandy Hurwitz, Oak Hill, said they are unique and are asking for annexation, taxation and to be a part of Austin. "We want your help."

Bert Hooper, representing Travis County Water Control and Improvement District #14, which is partly proposed for limited purpose annexation. questioned whether limited purpose annexation falls in the category as defined in the statutes. "The District must resolve this question because the annexation, though limited, is found to be invalid, then there is a cloud cast over the activities of the district. The District board of directors have taken a position in opposition to be annexed on a limited purpose basis. You are probably picking up half of the district through this limited purpose annexation."

John Gold, resident of Austin, is a landowner in Oak Hill area. He does not want to see any foot dragging. He wants action as soon as possible for full annexation.

John Kleese, representing High Plain Savings and Loan, supports zoning and are willing to dedicate a portion of Covered Bridge Property for the water system which is planned. He looks forward to annexation.

Al Barley, property owner at Thomas Springs Road and Hwy.71, discussed subdivision platting and said he would talk to Mr. Duncan. He also welcomes annexation.

Ray Robertson, member of Upper Williamson Creek Property Owners Association, said they would like full service annexation and quickly.

Thomas Shore discussed a polluted creek which he feels the City will take care of and make clear again when they are annexed.

Glen M. David, Oak Hill, said he wants to be a citizen of Austin. But they want services to go along with their annexation.

Bill Howell, Oak Hill, applauds the annexation, and wants something more explicit than a boiler plate service plan.

Richard Barnes, Oak Hill area, spoke in support of annexation.

Tom O'Meara, attorney for Upper Williamson Creek Property Owners Association, asked Council to direct staff to identify service plan and fiscal impact. He said he authored the green plan but if they get a solid committment their needs will be addressed, that is what he is mainly after.

Jim Davis, Oak Hill Business and Professional Association, said they are for annexation.

Motion

The Council, on Councilmember Shipman's motion, Mayor Pro Tem Trevino's second, closed the public hearing. (5-0 Vote, Councilmembers Carl-Mitchell and Urdy absent.)

Oak Hill Heights Area

Mr. Duncan said the area is 15% developed with a population of 459. It is located south of 290 and east of Ben McCullough. This abuts the area just previously discussed. He described the location by means of a map.

Bill Mickey, representing Convict Hill Neighborhood Association, spoke in support of full purpose annexation.

Motion

The Council, on Mayor Pro Tem Trevino's motion, Councilmember Shipman's second, closed the public hearing. (5-0 Vote, Councilmembers Carl-Mitchell and Urdy absent.)

Sunset Trail Area

Mr. Duncan said this is a very small area between Sunset Valley and Austin. Population is 156 people with 55 dwelling units.

Motion

The Council, on Mayor Pro Tem Trevino's second, Councilmember Rose's second, closed the public hearing. (5-0 Vote, Councilmembers Carl-Mitchell and Councilmember Urdy absent.)

ADJOURNMENT

Council adjourned its meeting at 7:10 p.m.